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15 UNITED STATES DISTRICT COURT  
16  
17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 IN RE: HIGH-TECH EMPLOYEE  
19 ANTITRUST LITIGATION

20 THIS DOCUMENT RELATES TO:  
21  
22 ALL ACTIONS

23 **Master Docket No. 11-CV-2509-LHK**

24 **NOTICE OF FILING REVISED**  
25 **REDACTED DOCUMENTS IN**  
26 **RESPONSE TO ORDER GRANTING**  
27 **IN PART AND DENYING IN PART**  
28 **MOTION TO SEAL**

Date Consolidated Amended Compl. Filed:  
September 13, 2011

On July 7, 2014, this Court issued an Order Granting in Part and Denying in Part Motion to Seal (“Sealing Order,” ECF No. 953), which granted in part and denied in part motions to seal documents related to the briefing on plaintiffs’ supplemental class certification motion, motions for summary judgment, and *Daubert* motions. Pursuant to Local Rule 79-5(f)(2) and (3), defendants Adobe Systems Inc., Apple Inc., Google Inc., Intel Corporation, Intuit Inc., Lucasfilm Ltd., and Pixar (collectively “Defendants”) hereby submit revised redacted and unredacted documents to comport with the Court’s Sealing Order.

Defendants note the following clarifications with respect to certain revised redacted documents:

- **Kevin Hallock Expert Report (May 10, 2013) (ECF No. 832-4) (“May 2013 Hallock Report”)**: The Sealing Order granted in part and denied in part requests to seal portions of the report, but did not address requests to seal certain Figures attached to the report at Appendix C. *See* ECF No. 953 at 10. The Court has, however, ruled on the sealability of the information conveyed in these Figures elsewhere in the Sealing Order. Specifically,
  - the Court granted Google’s request to seal the information contained in Figure 7 as part of Appendix A1 to the Becker Report (*see* ECF No. 953 at 11);
  - the Court granted Apple’s request to seal the information contained in Figures 8, 9, 10-11 and 14 as part of Exhibits 1854, 1858, 268 and 1855, respectively (*see* ECF No. 953 at 11-12);
  - the Court granted Adobe’s request to seal the information contained in Figures 13 and 15 as part of Exhibits 2487 and 2486, respectively (*see* ECF No. 953 at 6);
  - the Court granted Lucasfilm’s request to seal the information contained in Figure 18 as part of Exhibits 711 and 360 (*see* ECF No. 953 at 4-5).

Defendants have redacted the Figures attached to the May 2013 Hallock Report

consistent with these rulings.<sup>1</sup>

In addition, with respect to Figures 12 and 17 from the May 2013 Hallock Report:

- the Court denied Google’s request to seal certain information contained in paragraphs 130-31 of the May 2013 Hallock Report that is drawn from selected portions of data reflected in Figure 12. This Figure contains highly confidential and highly sensitive information regarding Google’s compensation philosophy that is not relied on or discussed in paragraphs 130-31 of the May 2013 Hallock Report and that are reflected in the footnotes of Figure 12 (*see* ECF No. 850 at ¶ 6-7 and ECF Nos. 201, 221, and 261). Accordingly, Google has redacted the footnotes from Figure 12 that were not relied upon in paragraphs 130-31 of the May 2013 Hallock Report.
- the Court denied Google’s request to seal certain information contained in paragraphs 210-12 of the May 2013 Hallock Report that is drawn from selected portions of data reflected in Figure 17. The remainder of Figure 17 contains highly confidential and highly sensitive information regarding Google’s compensation practices that is not relied on or discussed in paragraphs 210-12 of the May 2013 Hallock Report (*see* ECF No. 850 at ¶ 6-7 and ECF Nos. 201, 221, and 261). Accordingly, Google has unredacted all information in Figure 17 that specifically appears in paragraphs 210-12 of the May 2013 Hallock Report and redacted the remainder of Figure 17.

- **Kevin Hallock Expert Report (October 27, 2013) (ECF No. 832-6) (“October 2013 Hallock Report”)**: As with the May 10, 2013 Hallock Report, the Sealing Order

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<sup>1</sup> Adobe further notes that it has redacted the name appearing in paragraph 113 of the Hallock Report because the Court has granted requests to seal references to this name in other expert reports. *See* Lewin Report ¶¶ 53-55. Moreover, the Court granted Adobe’s requests to seal other individuals’ names in the Hallock report. *See* Hallock Report (May 10, 2013) ¶¶ 115-116.

1 granted in part and denied in part requests to seal portions of the report, but did not  
 2 address requests to seal certain Figures attached to the report at Appendix C. *See* ECF  
 3 No. 953 at 10. The Court has, however, ruled on the sealability of the information  
 4 conveyed in these Figures elsewhere in the Sealing Order. Specifically,

- 5 ○ the Court granted Google's request to seal the information contained in  
 6 Figure 2 as part of Appendix A1 to the Becker Report (*see* ECF No. 953 at  
 7 11);
- 8 ○ the Court granted Apple's request to seal the information contained in  
 9 Figures 3, 4, 5-6 and 9 as part of Exhibits 1854, 1858, 268 and 1855,  
 10 respectively (*see* ECF No. 953 at 11-12);
- 11 ○ the Court granted Adobe's request to seal the information contained in  
 12 Figures 8 and 10 as part of Exhibits 2487 and 2486, respectively (*see* ECF  
 13 No. 953 at 6);
- 14 ○ the Court granted Lucasfilm's request to seal the information contained in  
 15 Figure 12 as part of Exhibits 711 and 360 (*see* ECF No. 953 at 4-5).

16 Defendants have redacted the Figures attached to the Hallock Report consistent with  
 17 these rulings.

18 In addition, with respect to Figures 7 and 13 from the October 2013 Hallock Report,  
 19 (which are the same as Figures 12 and 17 in the May 2013 Hallock Report):

- 20 ○ the Court denied Google's request to seal certain information contained in  
 21 paragraphs 118-19 of the October 2013 Hallock Report that is drawn from  
 22 selected portions of data reflected in Figure 7. This Figure contains highly  
 23 confidential and highly sensitive information regarding Google's  
 24 compensation philosophy that is not relied on or discussed in paragraphs  
 25 118-19 of the October 2013 Hallock Report and that are reflected in the  
 26 footnotes of Figure 7 (*see* ECF No. 850 at ¶ 6-7 and ECF Nos. 201, 221,  
 27 and 261). Accordingly, Google has redacted the footnotes from Figure 7  
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that were not relied upon in paragraphs 118-19 of the May 2013 Hallock Report.

- the Court denied Google’s request to seal certain information contained in paragraphs 204-05 of the October 2013 Hallock Report that is drawn from selected portions of data reflected in Figure 13. The remainder of Figure 13 contains highly confidential and highly sensitive information regarding Google’s compensation practices that is not relied on or discussed in paragraphs 204-05 of the May 2013 Hallock Report (*see* ECF No. 850 at ¶ 6-7 and ECF Nos. 201, 221, and 261). Accordingly, Google has unredacted all information in Figure 13 that specifically appears in paragraphs 204-05 of the May 2013 Hallock Report and redacted the remainder of Figure 13.

- **Cisneros Decl., Ex. 416 (ECF No. 799-14):** This document was also filed as Cisneros Decl., Ex. 2486 (ECF No. 801). The Court denied in full requests to seal portions of Exhibit 416 but granted in part requests to seal the same portions of Exhibit 2486. Adobe has revised its redactions to Exhibit 416 consistent with the Court’s rulings as to Exhibit 2486.
- **Harvey Decl., Ex. 86 (ECF No. 828-9):** The Court granted Google’s request to seal portions of Exhibit 86, except for those materials related to the Microsoft Recruiting Protocol. (ECF No. 953 at 10). However, the Court later stated in its Order that requests to seal Exhibit 86 were denied “up to and through the material sought to be sealed on page 18,” which includes materials related to Google’s recruiting policies but not the materials related to the Microsoft Recruiting Protocol (*Id.* at 12). Further, the Court granted Google’s request to seal information contained in Cisneros Declaration, Exhibit 1741 (which is an earlier iteration of the same Google document that appears as Exhibit 86), except for the Microsoft Recruiting Protocol. (*Id.* at 10). Based on the above, Google has revised its redactions to Exhibit 86 to unseal only

1 materials related to the Microsoft Recruiting Protocol consistent with the Court's  
2 ruling at ECF-No. 953 at 10 with respect to Exhibit 86 and Cisneros Declaration  
3 Exhibit 1741.  
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5 Dated: July 11, 2014

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26 **ATTESTATION:** The filer attests that concurrence in the filing of this document has been  
27 obtained from all signatories.  
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